

March 5, 2017

To Whom it May Concern:

RE: Senate Bill 769

Dear Judiciary Committee:

I am a long time member of the Bar and as a member of the debtor creditor section, I generally watch for any bills which affect my practice in debtor representation and bankruptcy – the latter being my primary practice. While I am generally in favor of the concept of the bill in protecting data which should be confidential, I am concerned about one particular section and its possible unintended consequences.

Section 1(a)(B) requires redaction of the Social Security number on documents sent to a consumer at their request for a transaction or service. Something the committee may not be aware of is that part of any bankruptcy petition for an individual requires inclusion of a page with the entire Social Security number of a bankruptcy debtor, both in order to prevent identity theft and to allow creditors to identify their customer.

This number is redacted in the public access portion of the bankruptcy court records, but the general practice of most attorneys is to send our clients a complete copy of the entire petition that they have signed, including the page with the full Social Security numbers. In addition, the hearing notice generated by the US Bankruptcy noticing center which is mailed to all listed creditors, to my office and to the debtor, contains the full Social Security number.

While presumably the federal government would be excluded from enforcement via the language “Except as otherwise provided by law...” the statute would seem to leave private attorneys vulnerable to inadvertently violating the statute by simply mailing to a client a copy of a document which they have signed. This would seem to cover not only documents we have prepared for them, but also if we return tax returns to our clients which they have provided to us. Similarly, this statute would seem to prohibit a tax preparer from mailing completed tax returns to their customers.

It would probably be excessive to completely exempt Attorneys and Certified Public Accountants from this statute, but perhaps some saving language could be added as section 4(c)(E) to the effect that excludes from coverage any federal documents signed for bankruptcy, legal or tax purposes? Are tax preparers even aware of this pending statute?

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Please feel free to contact me if you have any questions. This comment can be publicly posted if you wish. Thank you.

Sincerely yours,

PARKER, BUTTE & LANE, P.C.

A handwritten signature in black ink, appearing to read "Richard J. Parker". The signature is written in a cursive style with a large, prominent initial "R".

RICHARD J. PARKER
OSB # 800945

RJP / File # 4162-3